

UNITED STATES DISTRICT
SOUTHERN DISTRICT OF NEW YORK

VICTORIA MALONE,

Plaintiff,

- against -

TOWN OF CLARKSTOWN, WAYNE
BALLARD, *in his personal and official capacity*
as Clarkstown Highway Superintendent,
FRANK DIZENZO, *in his personal and official*
capacity as Clarkstown Highway
Superintendent, ANDREW LAWRENCE, *in his*
personal and official capacity, DAVID SALVO,
in his personal and official capacity, ROBERT
KLEIN, *in his personal and official capacity*,
TUCKER CONNINGTON, *in his personal and*
official capacity, and BRIAN LILLO, *in his*
personal and official capacity,

Defendants.

No.: 7:19-cv-05503 (VB) (PED)

Declaration of Adam Pollock
in Opposition to Motion for Partial Summary Judgment

ADAM POLLOCK, counsel for Plaintiff Victoria Malone in the above-captioned matter, declares as follows, pursuant to 28 U.S.C. § 1746(2), in support of the Plaintiff's Opposition to the Partial Motion for Summary Judgment.

1. Attached as **Exhibit 1** is a true and correct copy of excerpted pages from day 1 of the deposition of Victoria Malone, dated September 24, 2020.
2. Attached as **Exhibit 2** is a true and correct copy of excerpted pages from day 2 of the deposition of Victoria Malone, dated September 25, 2020.
3. Attached as **Exhibit 3** is a true and correct copy of the document bates stamped TOWN004949 – TOWN004957.

4. Attached as **Exhibit 4** is a true and correct copy of the document bates stamped TOWN005570.

5. Attached as **Exhibit 5** is a true and correct copy of excerpted pages of the deposition of Brian Lillo, dated October 12, 2020. (These pages are sealed, temporarily, pending Court order.)

6. Attached as **Exhibit 6** is a true and correct copy of the document bates stamped MALONE_002572.

7. Attached as **Exhibit 7** is a true and correct copy of excerpted pages of the 50-h hearing of Victoria Malone, dated May 2, 2019.

8. Attached as **Exhibit 8** is a true and correct copy of excerpted pages of the deposition of John Luther, dated November 17, 2020.

9. Attached as **Exhibit 9** is a true and correct copy of excerpted pages of the deposition of Denny Friscoe, dated November 17, 2020.

10. Attached as **Exhibit 10** is a true and correct copy of excerpted pages of the deposition of Dominic Santulli, dated October 26, 2020.

11. Attached as **Exhibit 11** is a true and correct copy of excerpted pages of the deposition of Robert Klein, dated December 4, 2020.

12. Attached as **Exhibit 12** is a true and correct copy of the document bates stamped TOWN005228.

13. Attached as **Exhibit 13** is a true and correct copy of the document bates stamped MALONE_001675.

14. Attached as **Exhibit 14** is a true and correct copy of the document bates stamped TOWN001752 – TOWN001753.

15. Attached as **Exhibit 15** is a true and correct copy of the document bates stamped MALONE_002367.

16. Attached as **Exhibit 16** is a true and correct copy of the document bates stamped MALONE_000168 – MALONE_000170.

17. Attached as **Exhibit 17** is a true and correct copy of the document bates stamped MALONE_000182 – MALONE_000184.

Dated: January 3, 2022

By: */s/ Adam Pollock*
Adam Pollock